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Javier Castro, Karen Gedney, John Henley,
Michelle Hicks-Moses, Melissa Mitchell,
Shannon Moyle, Jonathan Perry, and David Vest*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ABRAHAM CRUZADO,

Plaintiff,

V.

ISIDRO BACA, et al.,

Defendants

Case No. 3:16-cv-00690-MMD-WGC

ORDER GRANTING

**MOTION FOR EXTENSION OF TIME TO
SERVE DISCOVERY RESPONSES FOR
PLAINTIFF'S RENEWED DISCOVERY
REQUESTS**

(First Request)

Defendants, Romeo Aranas, Isidro Baca, Candis Brockway, Jayson Brumfeld, Javier Castro, Karen Gedney, John Henley, Michelle Hicks-Moses, Melissa Mitchell, Shannon Moyle, Jonathan Perry, and David Vest (Defendants) by and through counsel Adam Paul Laxalt, Attorney General of the State of Nevada, and Ian Carr, Deputy Attorney General, hereby submit their Motion for Extension of Time to Serve Discovery Responses (Second Request). This Motion is based on Federal Rule of Civil Procedure 6(b)(1)(A), the following Memorandum of Points and Authorities, and all papers and pleadings on file in this action.

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MEMORANDUM OF POINTS AND AUTHORITIES

I. ARGUMENT

Defendants respectfully request a thirty (30) day extension of time out from the current deadline (September 18, 2018) to serve additional discovery responses in this case. Counsel for Defendants is confronted with numerous competing deadlines and a high workload due to staffing changes in the Office of the Attorney General. Furthermore, Plaintiff has served a large volume of discovery requests. Defendants have made substantial progress in responding to discovery, and offer the following status update:

COMPLETED AND SERVED DISCOVERY RESPONSES:

- Defendant Baca Response to Request for Admissions [Set One]
- Defendant Brumfield Response to Request for Admissions [Set One]
- Defendant Brockway Response to Request for Admissions [Set One] (Count II)
- Defendant Brockway Response to Request for Admissions [Set One] (Count IV)
- Defendant Castro Response to Request for Admissions [Set One]
- Defendant Mitchell Response to Request for Admissions [Set One]
- Defendant Moyle Response to Request for Admissions [Set One]
- Defendant Moses Response to Request for Admissions [Set One]
- Defendant Perry Response to Request for Admissions [Set One]
- Defendant Vest Response to Request for Admissions [Set One]
- Defendant Henley Response to Request for Admissions [Set One]
- Defendant Gedney Response to Request for Admissions [Set One]
- Defendant Aranas Response to Request for Admissions [Set One]
- Defendant Brockway Response to Interrogatories [Set One]
- Defendant Gedney Response to Interrogatories [Set One]
- Defendant Baca Response to Interrogatories [Set One]
- Defendant Henley Response to Interrogatories [Set One]
- Defendant Aranas Response to Interrogatories [Set One]
- Defendant Perry Response to Interrogatories [Set One]

1 Defendant Mitchell Response to Interrogatories [Set One] (served via postal mail today, July 24, 2018)
2 Defendant Brumfield Response to Interrogatories [Set One]
3 Defendant Castro Response to Interrogatories [Set One]
4 Defendant Moyle Response to Interrogatories [Set One]
5 Defendant Moses Response to Interrogatories [Set One]
6 Defendant Vest Response to Interrogatories [Set One]
7 Plaintiff's Requests for Production of Documents [Multiple Sets]

8 **PENDING NEW DISCOVERY RESPONSES:**

9 Defendant Baca Response to Request for Admissions [Set Two]
10 Defendant Baca Response to Request for Admissions [Set Three]
11 Defendant Brumfield Response to Request for Admissions [Set Two]
12 Defendant Brockway Response to Request for Admissions [Set Two]
13 Defendant Castro Response to Request for Admissions [Set Three]
14 Defendant Moyle Response to Request for Admissions [Set Two]
15 Defendant Moyle Response to Request for Admissions [Set Three]
16 Defendant Moses Response to Request for Admissions [Set Two]
17 Defendant Moses Response to Request for Admissions [Set Three]
18 Defendant Vest Response to Request for Admissions [Set Two]
19 Defendant Henley Response to Request for Admissions [Set Two]
20 Plaintiff's Requests for Production of Documents [Third Set]

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22 . Defendants respectfully request additional time to serve the remaining discovery responses,
23 especially in light of the large volume of documents requested by Plaintiff. However, such obstacles are
24 currently being resolved and the requested extension of time should afford Defendants adequate time to
25 serve the remaining discovery responses in this case.

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Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

Defendants' request is timely and its limited nature will not hinder or prejudice Plaintiff's case, but will allow for more thorough responses to Plaintiff's discovery requests. The requested thirty (30) day extension of time should permit Defendants time to adequately research and respond to Plaintiff's discovery requests. Defendants assert that the requisite good cause is present to warrant the requested extension of time.

For these reasons, Defendants respectfully request a thirty (30) day extension of time from the current deadline to serve additional discovery responses, with a new deadline to and including Thursday, October 18, 2018.

DATED this 18 day of September, 2018.

ADAM PAUL LAXALT
Attorney General

By:

IAN E. CARR
Deputy Attorney General
State of Nevada
Bureau of Litigation
Public Safety Division

Attorneys for Defendants

IT IS SO ORDERED.

Walter G. Cobb
U.S. MAGISTRATE JUDGE

DATED: September 19, 2018